

Remarks/Arguments:

Claims 1-15 are pending in the above-identified application. By the present Amendment, claims 1, 5, 7, 8, 10, 11 and 12 are amended and new claim 19 is presented for consideration. Claims 16-18 were previously cancelled.

Claim Rejections under 35 U.S.C. §102(b)

Claims 1-2 and 4-18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,614,732 to Nonaka et al. ("Nonaka"). It is respectfully asserted that Nonaka does not disclose all of the features of the claims.

In particular, Nonaka does not disclose the following features of claim 1:

a record medium holding . . . (2) a plurality of play list files **storing a play list describing a reproduction order, in which one or more of the plurality of data files are to be played . . .**

data reproducing means **configured to reproduce the predetermined data stored by the plurality of data files respectively by using the reproduction order based on the selected play list file.**
(Emphasis added.)

These features are described in the specification of the above-identified application, for example, at page 14, lines 19-25. No new matter has been added.

1. Nonaka Does Not Disclose the Features of Claim 1 Relating to "Play List Files"

The Office Action (mailed September 29, 2008) cites to col. 9, lines 36-45 of Nonaka as disclosing the features of claim 1 relating to the "plurality of play list files" and the "reproduction order." Additionally, the Office Action argues: "In response to applicant's argument, Nonaka discloses a play list stores a list of songs in the order of reproduction, upon the selection of the play list, the data files in the play list are visually reproduced on a display screen in accordance with the order of reproduction (col. 9, lines 40-45; col. 10, lines 48-51)." (See Office Action, page 8.) (Emphasis omitted.) By the present Amendment, Applicants

amend claim 1 to clarify the features of claim 1 relating to the “plurality of play list files” and the “reproduction order.” Applicants respectfully assert that Nonaka does not disclose these features of claim 1.

The Advisory Action mailed January 9, 2009 points to the fact that Nonaka’s “play-list” is displayed after a user selects a play-list display button. (See Advisory Action, page 2.) The “play-list” is then displayed in an “order of reproduction,” as asserted in the Advisory Action. (See Advisory Action, page 2.) The Advisory Action states:

The Examiner is aware of the difference between **replaying** songs based on the ordering of a play list and **redisplaying** song names based on the ordering of the play list. However, the difference is not clearly defined in the claimed limitations.

(See Advisory Action, page 2, emphasis added.)

In the embodiment of Applicants’ invention recited in claim 1, “play list files” describe “a reproduction order, in which one or more of the plurality of data files **are to be played.**” (Emphasis added.) As described in the above-identified application, when a user wishes to listen to a particular play list, the user may select that play list. **The songs attributed to the play list are then played in the order specified in the play list, i.e., the songs are “reproduced” in the “reproduction order”** that describes the order of playing.

Applicant’s claim 1 is distinguished from Nonaka because, although Nonaka’s lists may describe the order in which files are **displayed**, they do not describe the order in which the files are **played**. Specifically, the lists of Nonaka do not describe or suggest the “reproduction order, in which one or more of the data files are to be played,” nor the above-quoted features relating to the “data reproducing means” recited in claim 1. Accordingly, Nonaka does not disclose or suggest all of the above-quoted features of claim 1. Withdrawal of the rejection and reconsideration of claim 1 are respectfully requested.

Claims 2-4 depend from claim 1 and therefore include all of the features of claim 1. Claims 5, 7, 8 and 10-12, while not identical to claim 1, include features similar to claim 1. Claim 6 depends from claim 5; claim 9 depends from claim 8; claim 13 depends from claim 10; claim 14 depends from claim 11; and claim 15 depends from claim 12. Accordingly, claims 2-15 are also patentable over Nonaka for at least the reasons set forth above. Claims 16-18 were

previously cancelled. Withdrawal of the rejections and reconsideration of claims 2-15 are respectfully requested.

New Claim 19

By the present Amendment, Applicants submit a new claim 19 for consideration. New claim 19 recites features regarding display of "play list file menu information," namely that only "play list file menu information concerning the play lists . . . which are supported by the data reproducing means" are displayed. These features are described in the above-identified application, for example, at page 18, lines 17-25. No new matter has been added. Applicants respectfully assert that Nonaka does not describe or suggest placing limits on the display of the lists described therein in the manner recited in claim 19. Favorable consideration is respectfully requested.

Conclusion

Withdrawal of the rejections and reconsideration and allowance of the claims are respectfully requested.

Respectfully submitted,



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